

Serial No. 09/445175

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Daniel Richard Schneidewend, Darrel Wayne Randall,  
 Michael Joseph McLane, Megan Louise Brown and  
 Mark Sheridan Westlake

Serial Number: 09/445,175

Filed: 12/3/99

For: SYSTEM AND METHOD FOR PROCESSING  
 AUDIO-ONLY PROGRAMS

FILING OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 -  
RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS

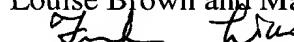
Hon. Assistant Commissioner of Patents and Trademarks  
 Washington, D.C. 20231  
 Box PCT

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371, mailed February 7, 2000, in the above-identified application, Applicant hereby submits the following:

- 1) Executed Declaration of the inventor.
- 3) A surcharge of \$130.00 required under 37 CFR 1.16(e) for filing the Declaration on a date later than the filing date of the application.
- 4) A copy of Notice to File Missing Requirements Under 35 U.S.C. 371 (PCT/DO/EO/905).

Please charge the cost of the surcharge to Deposit Account No. 07-0832. Please charge any additional fees and credit any overpayments to Deposit Account No. 07-0832.

Respectfully submitted,  
 Daniel Richard Schneidewend, Darrel Wayne Randall, Michael Joseph McLane, Megan Louise Brown and Mark Sheridan Westlake  
  
 Frank Y. Liao  
 Attorney for Applicant  
 Reg. No. 40,065  
 (609) 734-9497

THOMSON multimedia Licensing Inc.  
 P.O. Box 5312  
 Princeton, NJ 08543-5312

DATE: March 7 2000Certificate of Mailing under 37 CFR 1.8

I hereby certify that this response to a Notice to File Missing Requirements, is being deposited with the United States Postal Service as first class mail in a postage paid envelope addressed to: Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231 on the date indicated below.

Date: 3/7/00 Signature: Marie E. Link

DATA RAFF  
FED 10 2000



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

89037

U.S. APPLICATION NO.		FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/445175		SCHNEIDEWAND	D RCA89037
JOSEPH S TRIPOLI THOMSON MULTIMEDIA LICENSING INC 2 INDEPENDENCE WAY PO BOX 5312 PRINCETON, NJ 08543			
INTERNATIONAL APPLICATION NO.			
PCT/US98/11866			
I.A. FILING DATE		PRIORITY DATE	
05 JUN 98		06 JUN 97	
DATE MAILED: 07 FEB 2000			

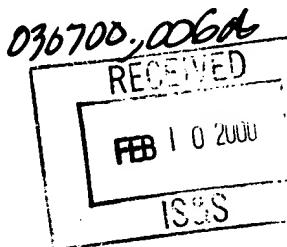
PL

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

a Designated Office (37 CFR 1.494),  
 an Elected Office (37 CFR 1.495):

U.S. Basic National Fee.  
 Copy of the international application in:  
 a non-English language.  
 English.  
 Translation of the international application into English.  
 Oath or Declaration of inventors(s) for DO/BO/US.  
 Copy of Article 19 amendments.  
 Translation of Article 19 amendments into English.  
 The International Preliminary Examination Report in English and its Annexes, if any.  
 Translation of Annexes to the International Preliminary Examination Report into English.  
 Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_.  
 Information Disclosure Statement(s) filed 03 DEC 1999 and \_\_\_\_\_.  
 Assignment document.  
 Power of Attorney and/or Change of Address.  
 Substitute specification filed \_\_\_\_\_.  
 Verified Statement Claiming Small Entity Status.  
 Priority Document.  
 Copy of the International Search Report  and copies of the references cited therein.  
 Other:



2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.  
 b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  
 c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.  
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.  
 d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY  21 OR  31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:

PCT/DO/EO/917  
 PTO-875

Notice of Defective Translation

FORM PCT/DO/EO/905 (December 1997)

FREDERICK SMITH  
Telephone: 703-305-3654

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL

## for FY 2000

Patent fees are subject to annual revision.

Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$)

130.

## Complete if Known

Application Number	09/445,175
Filing Date	12/3/99
First Named Inventor	D.R. Schneidewend et al.
Examiner Name	
Group / Art Unit	
Attorney Docket No.	RCA 89037

## METHOD OF PAYMENT (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 07-0832

Deposit Account Name THOMSON multimedia

Licensing Inc.

 Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

2.  Payment Enclosed:

 Check  Money Order  Other

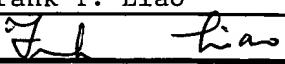
## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath	130.
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	
139	130	139 130 Non-English specification	
147	2,520	147 2,520 For filing a request for reexamination	
112	920*	112 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
115	110	215 55 Extension for reply within first month	
116	380	216 190 Extension for reply within second month	
117	870	217 435 Extension for reply within third month	
118	1,360	218 680 Extension for reply within fourth month	
128	1,850	228 925 Extension for reply within fifth month	
119	300	219 150 Notice of Appeal	
120	300	220 150 Filing a brief in support of an appeal	
121	260	221 130 Request for oral hearing	
138	1,510	138 1,510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive - unavoidable	
141	1,210	241 605 Petition to revive - unintentional	
142	1,210	242 605 Utility issue fee (or reissue)	
143	430	243 215 Design issue fee	
144	580	244 290 Plant issue fee	
122	130	122 130 Petitions to the Commissioner	
123	50	123 50 Petitions related to provisional applications	
126	240	126 240 Submission of Information Disclosure Stmt	
581	40	581 40 Recording each patent assignment per property (times number of properties)	
146	690	246 345 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	690	249 345 For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify) _____			
Other fee (specify) _____			
SUBTOTAL (1) (\$)	====		
SUBTOTAL (2) (\$)	----		
* Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)	130.

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Frank Y. Liao	Registration No. (Attorney/Agent)	40065	Telephone	609-734-9497
Signature				Date	3/7/2000

## WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.